

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 CPR-01 SCS-03 SCA-01 CIAE-00

INR-07 NSAE-00 PM-03 NSC-05 SP-02 SS-15 SAJ-01 PPT-01

ORM-01 DHA-02 VO-03 /061 W
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P R 251740Z JUL 75

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC PRIORITY 1130

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION USBERLIN

USMISSION NATO

C O N F I D E N T I A L BERLIN 6076

EO 11652: GDS

TAGS: PFOR, CGEN, GE

SUBJECT: US-GDR CONSULAR CONVENTION NEGOTIATIONS: SECOND ROUND

REF: BERLIN 6052

1. THE FIRST WEEK ON NEGOTIATIONS HAS PROCEEDED SLOWLY AND DELIBERATELY. NO FINAL AGREEMENT HAS BEEN REACHED ON MAJOR SUBSTANTIVE AREAS SUCH AS ESTATES AND NOTARIALS: HOWEVER, PROGRESS HAS BEEN MADE TOWARD FORMULATING SPECIFIC ARTICLES AND PARTS OF ARTICLES IN A MANNER ACCEPTABLE TO BOTH SIDES. THE MAIN REASON FOR THE SLOW PACE OF THE NEGOTIATIONS IS GDR INSISTENCE ON PRESENTING A DETAILED EXPLANATION OF THE GDR POSITION ON EACH PROVISION DISCUSSED, EVEN WHEN BOTH SIDES ARE OF THE SAME MIND ON SUBSTANCE. THE ATMOSPHERE OF THE TALKS CONTINUES TO BE FRANK AND FRIENDLY.

2. THE US SIDE SUGGESTED, AND THE GDR ACCEPTED, THE
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ESTABLISHMENT OF A DRAFTING COMMITTEE TO MEET EACH

AFTERNOON FOR THE PURPOSE OF ATTEMPTING TO BRING BOTH SIDES CLOSER TOGETHER ON WORDING OF ARTICLES RESPECTING WHICH NO SERIOUS SUBSTANTIVE DIFFERENCES EXIST. HOWEVER, THE GDR DRAFTING COMMITTEE CONSISTS OF THE WHOLE DELEGATION, INCLUDING NOTABLY AMBASSADOR KLOBES, AS A CONSEQUENCE OF WHICH THE PACE OF THE DRAFTING COMMITTEE'S WORK IS AS SLOW AS THAT IN THE PLENARY SESSIONS.

3. DCM GROVE REQUESTED EVALUATION FROM THE GDR SIDE ON THE MORNING OF JULY 25 AS TO POSSIBILITIES FOR MAKING SIGNIFICANT PROGRESS TOWARD REACHING SOME MEASURE OF AGREEMENT ON A SINGLE DRAFT BY THE END OF NEXT WEEK. AMBASSADOR KLOBES STATED THAT HE FELT IT WOULD BE VERY DIFFICULT TO PRODUCE ONE DRAFT FOR CONSIDERATION AT A LATER TIME, IN VIEW OF THE NUMBER OF SUBSTANTIVE AND LANGUAGE PROBLEMS WHICH REMAIN. BOTH SIDES, HOWEVER, AGREED TO CONTINUE TO WORK TOWARD THIS GOAL. IN THE CONTEXT OF THIS DISCUSSION, IT WAS DECIDED THAT A MEMORANDUM OR PROTOCOL WOULD BE DRAFTED AT THE END OF THE SECOND WEEK'S WORK, CITING THE POINTS OF AGREEMENT AND DISAGREEMENT, SO THAT AT THE NEXT ROUND BOTH SIDES WOULD HAVE AN ACCURATE ACCOUNT OF WHERE THINGS STOOD.

4. AS EXPECTED, WHEN THE ARTICLE ON NOTIFICATION AND ACCESS WAS DISCUSSED, THE GDR SIDE TOOK THE POSITION THAT INCLUSION OF A PROVISION ON THE TREATMENT OF DUAL NATIONALS MUST BE TIES IN WITH A DETERMINATION ON THE QUESTION OF DEFINING NATIONALITY. THE US SIDE NOTED THE GDR'S REMARKS ON THIS QUESTION AND FURTHER DISCUSSION WAS TABLED. COOPER

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